

REMARKS

This is intended as a full and complete response to the Final Office Action dated June 9, 2004, having a shortened statutory period for response set to expire on September 9, 2004. Claims 4, 6-9, 11-13, 16-22, 25-28, 31, 34-36 and 39-42 remain pending in the application and stand rejected. Please reconsider those claims for reasons discussed below.

Claims 4, 6, 11, 12 and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Chavet* (WO 97/00928). Claims 7-9, 13, 16, 18-22, 25-28, 31, 32, 34-36 and 39-42 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Chavet* (WO 97/00928).

Applicants respectfully traverse those rejections. Applicants have amended base claims 4, 17, 25, and 31 to include the implicit limitation that the "used oil" contains wastewater. A "starting used oil" or a used oil that is untreated, i.e. not previously distilled, includes wastewater. See the Applicants' specification at page 5, lines 13-18. Therefore, Applicants have amended the claims as shown herein to clarify implicit aspects of the invention. As such, these amendments are not in response to the cited prior art or directed to the patentability of the invention. Further, this proposed amendment is not intended to narrow the claims or otherwise limit the scope of equivalents thereof.

Chavet (WO 97/00928) discloses distilling used oil at a first set of conditions "to remove water and the heavy gasoline fraction" from the used oil. See *Chavet* '065 at col. 3, lines 33-37. *Chavet* further discloses subjecting that distillate to a second distillation at a second set of conditions "to recover a small quantity of gas-oil fraction and a much larger amount of vacuum distillate, corresponding to more than 60% of the starting used oil." (See *Chavet* '065 at col. 3, lines 37-45.) That second distillate or "unfinished base oil," i.e. the 60% fraction and not the starting used oil that contained the water, is then treated with an alkaline reactant in the presence of a solvent. See *Chavet* '065 at col. 3, lines 11-13.

Accordingly, *Chavet* does not teach, show, or suggest a method for purifying used oil by mixing used oil that contains wastewater with a phase transfer catalyst in the presence of a base compound, as recited in claim 4 and those dependent therefrom. *Chavet* also does not teach, show, or suggest a method for removing contaminants from a used petroleum distillate that contains wastewater as recited in claim 17 and those dependent therefrom. *Chavet* further does not teach, show, or suggest a method for removing contaminants from used motor oil that contains wastewater as recited in base claims 25 and 31, and those dependent therefrom. For these reasons, Applicants respectfully request withdrawal of the rejections and allowance of the claims.

Having addressed all issues set out in the Final Office Action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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